

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FILED

5/3/2019

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

RECEIVED

APR 12 2019

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

John Thurman

(Enter above the full name
of the plaintiff or plaintiffs in
this action)

Judge Virginia M. Kendall

vs.

Case No. 1:19-CV-00338
(To be supplied by the Clerk of this Court)

Officer A.J. Bianco #16816
Officer C. GALLAGOS #17521

(Enter above the full name of ALL
defendants in this action. Do not
use "et al.")

CHECK ONE ONLY:

AMENDED COMPLAINT

☒

COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983
U.S. Code (state, county, or municipal defendants)

☐

COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE
28 SECTION 1331 U.S. Code (federal defendants)

☐

OTHER (cite statute, if known)

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

I. Plaintiff(s):

- A. Name: John THurman
- B. List all aliases: _____
- C. Prisoner identification number: K82429
- D. Place of present confinement: JACKSONVILLE correctional center
- E. Address: 2268 E Morton Avenue JACKSONVILLE FL 32250

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In **A** below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in **B** and **C**.)

- A. Defendant: A.J. BLANCO # 16816
 Title: Officer
 Place of Employment: CHICAGO Police Dept.
- B. Defendant: C. GALLAGOS # 17521
 Title: Officer
 Place of Employment: CHICAGO Police Dept.
- C. Defendant: _____
 Title: _____
 Place of Employment: _____

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: N / A
- B. Approximate date of filing lawsuit: _____
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: _____

- D. List all defendants: _____

- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): _____
- F. Name of judge to whom case was assigned: _____

- G. Basic claim made: _____

- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): _____

- I. Approximate date of disposition: _____

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

On 8 MAY 2017 PLAINTIFF John Thurman HAD A verbal Argument with His Girl friend At Her Apartment in Chicago. His Girl friend Phoned The Police and Asked if They would Escort PLAINTIFF from the premise. At This Point PLAINTIFF Exited The Building And Walked off Down The Street.

Police Arrived At The Apartment And Asked His Girl friend where PLAINTIFF was. She Told Police PLAINTIFF HAD Already left And was Down The street. The Police left And caught up with PLAINTIFF in Their vehicle. The Police called to PLAINTIFF, But He ignored them. The Police officers (Defendant Blanco And GALLEGOS) now Exited Their car And Approached PLAINTIFF. PLAINTIFF Then Ran off Towards His Girl friend Apartment And Blanco And GALLEGOS Gave CHASE. The officers now caught up with PLAINTIFF At The Apartment Building, But PLAINTIFF was now suffering A serious Asthma

ATTACK. PLAINTIFF WAS UNABLE TO BREATHE
 THE OFFICERS NOW ATTEMPTED TO RESTRAIN AND
 HANDCUFF PLAINTIFF DESPITE HIS MEDICAL EMERGENCY
 PLAINTIFF'S GIRLFRIEND WAS SCREAMING AT THE OFFICERS,
 TELLING THEM TO STOP BECAUSE PLAINTIFF WAS HAVING
 AN ASTHMA ATTACK AND NEEDED HIS INHALER IMMEDIATELY.
 AT THIS POINT OTHER POLICE ARRIVED AND ORDERED BLANCO
 AND GALLEGOS TO STOP THEIR ATTEMPTS TO CUFF PLAINTIFF
 AFTER SEEING THE DISTRESS HE WAS IN. THESE NEW
 OFFICERS CALLED AN AMBULANCE WHICH ARRIVED SHORTLY
 AFTER AND PROVIDED EMERGENCY MEDICAL ATTENTION AT
 THE SCENE. ONCE THE EMERGENCY WAS OVER PLAINTIFF
 WAS TRANSPORTED TO THE POLICE STATION AND CHARGED
 WITH DOMESTIC BATTERY AND RESISTING ARREST /
 OBSTRUCTION OF JUSTICE.

LATER THE BATTERY CHARGE WAS DROPPED. PLAINTIFF
 PROCEEDED TO TRIAL ON THE RESISTING / OBSTRUCTING
 CHARGES AND WAS ACQUITTED.

CLAIM

PLAINTIFF'S RIGHTS UNDER THE 14TH AMENDMENTS
 TO THE U.S. CONSTITUTION WERE VIOLATED BY
 DEFENDANTS BLANCO AND GALLEGOS

Because both of the officer's use excessive force to Arrest me WHILE I WAS Suffering A Medical Emergency I never Resisted the Arrest WHILE I WAS HAVING A Asthma Attack THE officer's tried to forcefully Arrest me which made the Situation more life threatening I felt like I WAS going to die At that point because of the EXcessive force they were using Officer BLANCO And officer GALLEGOs never contacted the Ambulance doing my Medical Emergency The Arriving officer's Are the one's WHO call THE Ambulance because they SAW I Really needed Help but NO officer should be on the police force if they don't value the live's of the Citizen they Serve An Protect By officer BLANCO And officer GALLEGOs EXcessive Torter I fear for my life every time I see A Police officer Because I HAVE FLASH BACKs of the things they done to me No one should HAVE to go through the torter I went through of the Chicago Police The officer's committed evil Acts which the Judge SAW And ruled in my FAVOR of the case

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

V. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

Plaintiff Prays this court for general compensatory
punitive and nominal damage for violation of his
Constitutional and common law right 1.2 million
dollars / An for excessive force

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 4 day of 5, 2019

John Thurman
(Signature of plaintiff or plaintiffs)

John THURMAN
(Print name)

K824129
(I.D. Number)

JACKSONVILLE correctional center
2268 E Morton Avenue
JACKSONVILLE FL 32250
(Address)

John Thurman # K82429

Jacksonville C.C

2268 E Morton Ave

Jacksonville IL 62650

2019 APR 12 AM 8:50

PC



04/12/2019-18

ATTN

Clerk of the U.S. District Court

Thomas G Burton

219 S Dearborn Street

Chicago IL 60604

LEGAL MAIL